

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JEFFREY CASEY and MELINDA CASEY

Plaintiff(s)

-against-

CONSOLIDATED EDISON COMPANY OF NEW YORK,
INC., MONASTERY CHURCH OF THE SACRED HEART
and ARCHDIOCESE OF NEW YORK

Defendant(s)

7:12 CV 08430 (NSR)(JCM)

ANSWER TO
CROSSCLAIM

Defendants Demand
A Trial by Jury

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Defendants CHURCH OF THE SACRED HEART (sued herein as MONASTERY CHURCH OF THE SACRED HEART, hereinafter "CHURCH") and ARCHDIOCESE OF NEW YORK (hereinafter "ARCHDIOCESE"), referred to collectively as "Defendants," by their attorneys LEAHEY & JOHNSON, P.C. hereby answer the crossclaim of defendant CONSOLIDATED EDISON COMPANY OF NEW YORK ("Con Ed") herein, upon information and belief, respectfully alleging:

**AS AND FOR AN ANSWER
TO THE CROSSCLAIM**

FIRST: Defendants deny the allegations contained in the crossclaim of defendant Con Ed.

AS AND FOR A FIRST AFFIRMATIVE DEFENSE

The crossclaim of defendant Con Ed fails to state a claim upon which relief may be granted.

AS AND FOR A SECOND AFFIRMATIVE DEFENSE

Defendant Con Ed's crossclaim for indemnity is barred or reduced by defendant Con

Ed's own negligence.

AS AND FOR A THIRD AFFIRMATIVE DEFENSE

Defendant Con Ed's crossclaim is barred by the doctrines of waiver, estoppel, laches, or unclean hands.

AS AND FOR A FOURTH AFFIRMATIVE DEFENSE

Defendants CHURCH and ARCHDIOCESE incorporate the affirmative defenses set forth in their amended answer to the complaint of the plaintiffs as if fully set forth herein.

WHEREFORE, the defendants CHURCH and ARCHDIOCESE pray for dismissal of the crossclaim filed against them, for judgment on their behalf, and for costs, interest, or any other relief the Court deems just under the circumstances.

Dated: New York, New York
May 5, 2015

Yours, etc.,

LEAHEY & JOHNSON, P.C.
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CHURCH OF THE SACRED HEART
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OF THE SACRED HEART)
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BY: 

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